

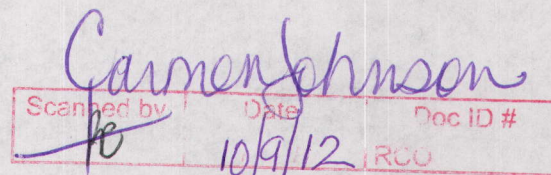
State of North Carolina  
Department of Environment,  
Health and Natural Resources  
Division of Waste Management

James B. Hunt, Jr., Governor  
Jonathan B. Howes, Secretary  
William L. Meyer, Director



December 19, 1996

Mr. Kerry MacPherson  
CP & L  
CPB-3A2  
P. O. Box 1551  
Raleigh, NC 27602



RE: Preliminary Evaluation, CP&L Industrial Landfill, Wake County, Permit Number 92-10

Dear Mr. MacPherson:

In accordance with the requirements of Rule .0503(2)(d)(ii), the Solid Waste Section has completed its preliminary evaluation of the information submitted for the referenced landfill. Rule .0503(2)(d)(ii) establishes the requirements for the operators of new industrial waste landfills, lateral expansions of existing landfills, and industrial landfills operating after January 1, 1998. The rule requires the submittal of a design that ensures that the ground water standards established under 15A NCAC 2L (2L) will not be exceeded in the uppermost aquifer at the compliance boundary or a design with a leachate collection system, a closure cap system, and a composite liner system.

Since the referenced landfill is an existing unlined landfill and it is not economically or technically feasible to retrofit an existing landfill with liners and a leachate collection system, the Rule effectively requires the operator to submit a closure cap design that ensures compliance with 2L or close before January 1, 1998.

The Section required the submittal of waste and site characterization, including available water quality data to assist in a preliminary evaluation of the existing landfill. The purpose of this submittal was to determine if a final determination of compliance with Rule .0503(2)(d)(ii) could be made based upon this information. This letter serves as notification that the information submitted to date does not provide adequate information to make a final determination as to compliance with that Rule.

In order to meet the requirements of Rule .0503(2)(d)(ii) and to provide adequate landfill capacity while evaluating the landfill design for compliance with those requirements, the Section requires the submittal of a landfill design plan including the following:

A construction and operational plan which limits development of the landfill to the lateral expansion of the waste "footprint" established as of January 1, 1998. The plan shall be developed in one-year phases and operated in such a manner that the landfill may be closed at any time.

P.O. Box 27687,  
Raleigh, North Carolina 27611-7687  
Voice 919-733-4996



FAX 919-715-3605  
An Equal Opportunity Affirmative Action Employer  
50% recycled/10% post-consumer paper



Mr. MacPherson  
December 19, 1996  
Page 2

The capacity of the landfill design plan shall not exceed five (5) years.

A water quality monitoring plan including additional wells located, sampled, and analyzed in a way that demonstrates compliance with 2L. Please contact Bobby Lutfy of the Section concerning monitoring and sampling parameters.

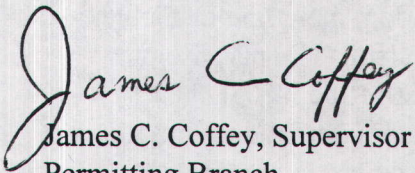
A closure plan including a final cap system designed to ensure compliance with 2L as demonstrated by modelling methods acceptable to the Section.

The submittal of this information and acknowledgement of receipt by the Section prior to January 1, 1998, will constitute compliance with Rule .0503(2)(d)(ii). However; this does **not** constitute final determination by the Section that the design ensures that the ground water standards established under 15A NCAC 2L will not be exceeded in the uppermost aquifer at the compliance boundary. It should be noted that a lateral expansion beyond the 1998 footprint or a new landfill must meet all the permit requirements of Rules .0503-.0505, including a demonstration that the proposed design meets the requirements of Rule .0503(2)(d)(ii).

**This letter serves as notification to the owner/operator that the information previously described as necessary to complete the final determination of compliance with Rule .0503(2)(d)(ii) shall be submitted to the Section thirty (30) days prior to January 1, 1998.**

If there are any questions concerning this letter, please contact Susan Leistiko at (919) 733-0692 extension 262.

Sincerely,

  
James C. Coffey, Supervisor  
Permitting Branch  
Solid Waste Section

cc: Dexter Matthews  
Susan Leistiko  
Bobby Lutfy  
Terry Dover  
Mark Fry